

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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JASVEER SINGH; JESUS MIER; and  
TOMMIE PRUITT,

Plaintiffs,

v.

NO. 2:05-cv-0521-MCE-DAD

ORDER SEALING EXPERT REPORTS

YELLOW TRANSPORTATION, INC.  
DBA YELLOW FREIGHT;  
INTERNATIONAL BROTHERHOOD OF  
TEAMSTERS, LOCAL UNION #439,  
DANIEL DRAKE, ROGER PRICE,  
FRANK VELLA and DOES 1 through  
20,

Defendants.

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On or about March 20, 2006, Defendant Yellow Transportation, Inc. ("Moving Defendant") filed the instant motion, which seeks permission from the Court to file, under seal, its expert reports prepared by Bernard Rappaport, M.D. Moving Defendant's request is made pursuant to Local Rule 39-141, which provides that documents may be sealed only upon written order of the Court.

Pursuant to the Court's Pretrial (Status) Scheduling Order issued September 12, 2005, all parties were required to exchange, and file with the Court, expert designations and written expert reports by March 20, 2006. While Moving Defendant indicates that it exchanged all reports with the parties to this litigation, including Plaintiffs, in accordance with that deadline, it seeks to file Dr. Rappaport's reports under seal because they "contain private and confidential medical information concerning plaintiffs' mental and/or physical treatment." (Motion, 3:17-19). Moving Defendant properly points out that by providing public access to the reports through ordinary filing, Plaintiffs' privacy interests could be impacted through wholesale disclosure of medical information and/or psychological treatment or diagnosis. See Jaffee v. Redmond, 518 U.S. 1, 12 (1996).

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1 No objection to Defendant's request to file Dr. Rappaport's  
2 reports under seal has been made. Given the lack of any  
3 opposition, and good cause appearing therefor, Moving Defendant's  
4 Motion to File Expert Reports Under Seal is hereby GRANTED.<sup>1</sup>  
5 Any and all expert reports from Bernard Rappaport M.D. filed with  
6 the Court shall be sealed. The Clerk's Office shall scan paper  
7 copies of said reports and maintain the electronic documents on a  
8 part of the server that limits access only to authorized  
9 individuals.

10 IT IS SO ORDERED.

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12 DATED: April 28, 2006

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16 MORRISON C. ENGLAND, JR.  
17 UNITED STATES DISTRICT JUDGE  
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27 <sup>1</sup>Because oral argument will not be of material assistance,  
28 the Court orders this matter submitted on the briefs. E.D. Cal.  
Local Rule 78-230(h).